

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SECOND DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 25364 of 2004

Between:

- 1 B.Niranjana Sreenivas, S/o.Bhoomaiah,
Department of Commerce and Business Management Kakatiya University,
University P.G.College,
Nirmal, Adilabad District.
- 2 B.Y.Ramanand, S/o.Byram. Ilaiyah,
Contract Lecturer / Academic Management, University P.G.College, Kakatiya
University,
Yellandu X Road, Khammam A.P.
- 3 T.Gopi, S/o.Kotaiah,
Department of Commerce and Business Management, University P.G.College,
Kakatiya University Khammam.
- 4 B.Chandrashekar, S/o.B.Venkateswara Rao,
Department of Information, University, P.G.College, Kakatiya University, Yellandu
X Road, Khammam A.P.

..... PETITIONER(S)

AND

- 1 Kakatiya University, rep.by its Registrar, Warangal.
- 2 State of A.P.rep.by its Principal Secretary to Government, Higher Education
Department, Secretariat, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ order or direction more in the nature of writ of Mandamus directing the respondents to consider the case of the petitioners for regular appointment as Lecturers / Assistant professors and further direct the respondents to continue the petitioners in service till the regular appointments are made after issuing notification.

Counsel for the Petitioners: MR.J.R.MANO HAR RAO

Counsel for the Respondent No.1: MR.DEEPAK BHATTACHARJEE

Counsel for the Respondent No.2: G.P. for Higher Education.

The Court made the following :

ORAL ORDER:

This writ petition is filed seeking a direction to the respondents to consider the petitioners' case for regular appointment to the posts of Lecturers/Assistant Professors and continue them in service till their employment is regularized.

Heard the learned counsel for both the parties and perused the material on record.

It is not disputed before this Court that the matter is squarely covered by a common order passed by the Division Bench of this Court in W.P.No.6469 of 2001 and batch, dated 21.10.2003.

In view of the said judgment, the petitioners are not entitled to be regularized automatically without undergoing the process of appointment. In the event of the 1st respondent engaging the persons on contract basis till they make the regular appointments, the petitioners shall not be replaced with the persons of the same qualifications unless the 1st respondent takes any action against such candidates under any other Rules.

The writ petition is accordingly disposed of. In the circumstances of the case, there shall be no order as to costs.

(K.C. BHANU, J.)

2nd February, 2005.

bcj

To

- 1 The Registrar, Kakatiya University, Warangal.
- 2 The Principal Secretary to Government, Higher Education Department, The State of A.P., Secretariat, Hyderabad.
3. Two C.Cs. to the Government Pleader for Higher Education, High Court Buildings, Hyderabad (OUT)
4. Two C.D. copies.

Note: Furnish C.C. in two days.

B/o.

bcj